UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,991	01/05/2000	BRYCE A. JONES	1264	1039

28004 7590 08/30/2012

SPRINT
6391 SPRINT PARKWAY
KSOPHT0101-Z2100
OVERLAND PARK, KS 66251-2100

EXAMINER	
BURGESS, BARBARA N	
ART UNIT	PAPER NUMBER
2457	

MAIL DATE	DELIVERY MODE
08/30/2012	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BRYCE A. JONES

Appeal 2012-010985
Application 09/477,991
Technology Center 2400

Before JOSEPH L. DIXON, THU A. DANG,
and JAMES R. HUGHES, *Administrative Patent Judges*.

DANG, *Administrative Patent Judge*.

DECISION ON APPEAL

I. STATEMENT OF THE CASE

Appellant appeals under 35 U.S.C. § 134(a) from a Final Rejection of claims 166-185 (App. Br. 2). Claims 1-165 are canceled (*id.*). We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

A. INVENTION

Appellant's invention is directed to a system and method for call processing (routing, queuing and messaging) of web calls; wherein, the system identifies an available web call center resource and generates a routing instruction for the call based upon information stored in a cookie (Abstract; Spec. 3:21-23 and 6:5-8).

B. ILLUSTRATIVE CLAIM

Claim 166 is exemplary:

166. A method of operating a call server for routing voice calls to a plurality of call center resources in a call center the method comprising:

receiving a voice call originating from a user device including a cookie;

processing the cookie from the user device to select a first call center resource;

generating a routing instruction indicating a first route for the voice call originating from the user device to the first call center resource; and

transferring the routing instruction to be used when routing the voice call from the user device to the first call center resource over which voice communications will be exchanged.

C. REJECTION

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Goss	US 6,687,241 B1	Feb. 3, 2004
Dunn	US 6,836,476 B1	Dec. 28, 2004
Vered	US 6,826,194 B1	Nov. 30, 2004
Ma	US 7,536,002 B1	May 19, 2009
Bruno	US 2002/0021693 A1	Feb. 21, 2002

Claims 166, 167, 169-172, 176, 177, and 179-182 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Goss.

Claims 168 and 178 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of Dunn.

Claims 175 and 185 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of Ma.

Claims 173 and 183 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of Bruno.

Claims 174 and 184 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goss in view of Vered.

II. ISSUE

The dispositive issue before us is whether the Examiner has erred in finding that Goss teaches "receiving a *voice call* originating from a user device including a cookie," "*processing the cookie* from the user device to select a first call center resource," and "*generating a routing instruction indicating a first route for the voice call* originating from the user device to the first call center resource" (claim 166, emphasis added).

III. FINDINGS OF FACT

The following Findings of Fact (FF) are shown by a preponderance of the evidence.

Goss

1. Goss discloses a call routing system for a Network/ enterprise that invokes a method of locating and reserving skilled agents in a remote center before initiating a call transfer or conference; wherein, a customer's contact request (inbound call originating from any communications source e.g. standard PSTN telephony, IP telephony, the Web and other HTTP means) includes a request for the agent to call the customer back (col. 2, ll. 2-5, 21-23, and 49-50).

2. A Web server receives the customer's call request and maintains a session with the customer's browser using cookies; wherein, the server identifies the customer based upon the cookie and selects a qualified agent (col. 7, l. 51-67).

IV. ANALYSIS

Claim 166, 167, 169-172, 176, 177, and 179-182

Appellant contends that "Goss fails to teach that a cookie included in a voice call ***originating*** from a user device is processed to route the voice call from the user device to a first call center resource" (App. Br. 6). The Appellant argues that since it is "the agent [that] calls the customer back using any form of communication," "the cookies in Goss are used in the process of requesting that a call ***originating from the agent*** (first call center resource) be placed to the customer (user device), and are not used to route a voice call ***originating from a user device*** to a first call center resource" (*id.*).

However, the Examiner finds that the "[s]erver uses information from cookies (information from the session between the customer's browser and the Server are stored in the cookies) to select and direct the request to an appropriate and qualified agent" (Ans. 4).

After reviewing the record on appeal, we agree with Appellant. Though we agree with the Examiner that Goss does disclose a web server that uses information from cookies to identify the customer (FF 2), we cannot find any teaching in the Examiner's recited portion of Goss that the server "receiv[es] a *voice call* originating from a user device *including a cookie*" as required by claim 166 (emphasis, added). That is, since Goss is silent as to where the cookie resides or whether the cookie is transferred within the contact request, Goss does not disclose a voice call that includes a cookie. Goss merely references standard session maintenance technology (FF 2); wherein, as noted in the Specification, the server (business) places a cookie on the customer's computer for identification purposes (Spec. 3: 1-5). Since Goss does not disclose a voice call that includes a cookie, we find that Goss also does not disclose "generating a routing instruction indicating a first route" for the voice call that is originated "from the user device to the first call center resource" as required by claim 166.

Accordingly, we find that Appellant has shown that the Examiner erred in rejecting claim 166 under 35 U.S.C. § 102(e) over Goss. Further, independent claim 176 having similar claim limitations and claims 167, 169-172, 177, and 179-182 depending from claims 166 and 176 which have been grouped therewith.

Claims 168, 173-175, 178, and 183-185

As noted *supra*, we reversed the rejection of claim 166 and 176 from which claims 168, 173-175, 178, and 183-185 depends.

The Examiner has not identified how Dunn, Ma, Bruno, or Vered cure the noted deficiencies of Goss. As such, we also reverse the rejection of claims 168 and 178 over Goss in view of Dunn; the rejection of claims 175 and 185 over Goss in view of Ma; the rejection of claims 173 and 183 over Goss in view of Bruno; and the rejection of claims 174 and 184 over Goss in view of Vered.

V. CONCLUSION AND DECISION

The Examiner's rejection of claims 166, 167, 169-172, 176, 177, and 179-182 under 35 U.S.C. § 102(e) and claims 168, 173-175, 178, and 183-185 under 35 U.S.C. § 103(a) is reversed.

REVERSED

pgc